

**Reply under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2176**

REMARKS

Applicant respectfully requests reconsideration and allowance of the subject application.

35 U.S.C. §101

Claims 1-10, 12-18, and 20-23 stand rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter.

Applicant has amended claims 1, 12, and 20 herein as suggested by the Examiner to overcome this rejection.

Applicant respectfully requests withdrawal of the §101 rejection.

35 U.S.C. §103(a)

Claims 1-38 stand rejected as being unpatentable over Fields et al., U.S. Patent No. 6,128,655 (hereinafter "Fields") in view of Bernardo et al., U.S. Patent No. 6,247,032 (hereinafter "Bernardo"). Applicant respectfully submits that claims 1-38 are not unpatentable over Fields in view of Bernardo and requests reconsideration.

Fields is directed (Title) to a: "Distribution mechanism for filtering, formatting and reuse of web based content". Fields discloses:

The invention provides an automated system for replicating published web content and associated advertisements in the context of a hosting web site. At the hosting web site, the invention includes the process of brokering a client browser's request for a web page, analyzing the returned content and splitting it into component elements, extracting the desired component elements, recasting the desired elements in the look and feel of the hosting site and sending the recast content to the requesting client as a web page.

**Reply under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2176**

Once the reformatted file is received at the client, the client browser interprets the HTML in the web page, presenting the content in the context of the hosting web site. On the content provider's web site, the details of the transaction in the web server logs are preserved, proxying a direct page view and ad impression. " (Fields Abstract).

Bernardo is directed (Title) to an: "Automated system and method for approving web site content". Bernardo discloses:

A software tool is provided for use with a computer system for simplifying the creation of Web sites. The tool comprises a plurality of pre-stored templates, comprising HTML formatting code, text, fields and formulas. The templates preferably correspond to different types of Web pages and other features commonly found on or available to Web sites. Each feature may have various options. To create a web site, a Web site creator (the person using the tool to create a web site) is prompted by the tool through a series of views stored in the tool to select the features and options desired for the Web site. Based on these selections, the tool prompts the web site creator to supply data to populate fields of the templates determined by the tool to correspond to the selected features and options. Based on the identified templates and supplied data, the tool generates the customized Web site without the web site creator writing any HTML or other programming code. Automated routing for site approval to authorized approvers specified during creation of the web site is provided." (Bernardo Abstract).

In contrast, claim 1 (as amended) recites "A computer executable method comprising: retrieving content from a plurality of content providers, wherein the retrieved content is to be displayed in at least one Web page; verifying the format of the retrieved content; rejecting particular content if the particular content format is not valid; and if the particular content is valid: scheduling the particular content to be displayed at a specified time; and displaying the particular content at the specified time, the particular content being displayed by a Web server", which is

not taught, disclosed, suggested, or motivated by the cited references, alone or in any proper combination.

With respect to the claim 1 recitation of "verifying the format of the retrieved content", the Office Action states (page 4, item 9) that "Fields teaches a host enacting a 'filter policy' (i.e. a schema file) for a particular Web content provider's submission format for parsing specific content (i.e. validating licensing, accepting specific ads, etc.) (Fields column 10 lines 23-37), therefore the retrieved format of the content is verified (compare with claim 1 "*verifying the format of the retrieved content*"). Applicant respectfully disagrees with this statement.

Fields teaches use of filters (col. 9, line 38 et seq.; Figs. 6A and 6B) for accepting or rejecting *portions* of content in accordance with a set of rules or policies. Note boxes 523 in Fig. 6A, which, if "checked", correspond to portions, which, if present in the content, are retained. This is not the same as verification of the format of the retrieved content. In contrast, Fields presupposes that the format is acceptable. See, e.g., col. 1, lines 9 et seq., stating that:

The World Wide Web is the Internet's multimedia information retrieval system. In the Web environment, client machines effect transactions to Web servers using the Hypertext Transfer Protocol (HTTP), which is a known application protocol providing users access to files (e.g., text, graphics, images, sound, video, etc.) using a standard page description language known as Hypertext Markup Language (HTML). HTML provides basic document formatting and allows the developer to specify "links" to other servers and files. In the Internet paradigm, a network path to a server is identified by a so-called Uniform Resource Locator (URL) having a special syntax for defining a network connection. Use of an HTML-compatible browser (e.g., Netscape Navigator or Microsoft Internet Explorer) at a client machine involves specification of a link via the URL. In response, the client makes a request to the server (sometimes referred to as a "Web site") identified in the link and, in return, receives in return a document or other object formatted according to HTML.

**Reply under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2176**

Fields fails to teach or disclose "verifying the format of the retrieved content; rejecting particular content if the particular content format is not valid", as recited in claim 1. Since Fields does not disclose or suggest verification of format, there is no reason for Fields to disclose or suggest "rejecting particular content if the particular content format is not valid", as recited in claim 1.

With respect to the claim 1 recitation of "scheduling the particular content to be displayed at a specified time", the Office Action states (p. 4) that "Bernardo teaches a Web site page content approval process, whereby said pages are sent to a designated user for approval pending publication, said approval subject to time limits (i.e. a timeslice comprising beginning and end times)(Bernardo Abstract, column 10 lines 54-58, column 11 lines 1-5; compare with claim 1 "*scheduling*" and "*at a specified time*"). Applicant disagrees with this statement.

Bernardo does not disclose or suggest scheduling anything for display at a specified time. Instead, Bernardo discloses eliminating delay by setting time limits for an approval process. If the reviewer does not review the material within the specified time slice, (i) the material may well not have been displayed at all and (ii) it has not been displayed by a Web server. As such, Bernardo fails to provide the elements for which Bernardo is cited.

For at least these reasons, Applicant respectfully submits that claim 1 is allowable over Fields in view of Bernardo. Given that claims 2-11 depend from claim 1, Applicant respectfully submits that those claims are likewise allowable over Fields in view of Bernardo for at least the reasons discussed above.

**Reply under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2176**

Claim 12, as amended, recites "A computer executable method comprising: identifying a plurality of content providers; determining whether each of the plurality of content providers has any new content to retrieve; retrieving new content from the plurality of content providers that have new content to retrieve; storing the retrieved content in a central database; scheduling the retrieved content to be displayed on a Web page at a particular time, wherein the particular time is based on an attribute associated with the retrieved content; and displaying the retrieved content on the Web page at the particular time", which is not taught, disclosed, suggested, or motivated by the cited references.

As noted above, the proposed combination of Fields and Bernardo fails to provide anything relative to "scheduling the retrieved content to be displayed on a Web page at a particular time", as recited in claim 12. Further, the combination of references fails to disclose or suggest "determining whether each of the plurality of content providers has any new content to retrieve" or "retrieving new content from the plurality of content providers that have new content to retrieve", as recited in claim 12. The Office Action (page 10) states, "Fields teaches a host accepting content submissions from a provider. If the host doesn't receive a submission, it generally means nothing new has been submitted." The Office Action fails to identify any portion of Fields that supports the second quoted sentence. That sentence appears to be speculative. Regardless of the validity of the statement, it fails to disclose determining whether each of the plurality of content providers has any new content to retrieve and retrieving the new content from content providers. "Receiving new content" and "determining whether each of the plurality of content providers has any new content to retrieve" are very different functions.

**Reply under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2176**

For at least these reasons, Applicant respectfully submits that claim 12 is allowable over Fields in view of Bernardo. Given that claims 12-19 depend from claim 12, Applicant respectfully submits that those claims are likewise allowable over Fields in view of Bernardo for at least the reasons discussed above.

Claim 20, as amended, recites "A computer executable method comprising: identifying a plurality of content providers; identifying a storage location associated with each of the content providers; retrieving a file from each storage location, wherein the file identifies any new content to retrieve from the storage location; if the file identifies new content to retrieve from the storage location: retrieving the new content; storing the retrieved content in a central database; and scheduling the retrieved content to be displayed at a particular time, wherein the particular time is based on an attribute associated with the retrieved content", which is not taught, disclosed, suggested, or motivated by the cited references.

The Office Action states (p. 6) that Claim 20 incorporates substantially similar subject matter as claimed in claim 1. Applicant disagrees with this statement.

The Office Action fails to identify where either of the references disclose or suggest "identifying a storage location associated with each of the content providers", or "retrieving a file from each storage location, wherein the file identifies any new content to retrieve from the storage location" (emphasis added), or "if the file identifies new content to retrieve from the storage location: retrieving the new content; storing the retrieved content in a central database; and scheduling the retrieved content to be displayed at a particular time" or, for that matter, doing so "wherein the particular time is based on an attribute associated

**Reply under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2176**

with the retrieved content". The filter database taught by Fields does not overcome these deficiencies. Applicant submits that these elements of claim 20 are not disclosed or suggested by Fields or Bernardo, alone or in combination.

For at least these reasons, Applicant respectfully submits that claim 20 is allowable over Fields in view of Bernardo. Given that claims 21-25 depend from claim 20, Applicant respectfully submits that those claims are likewise allowable over Fields in view of Bernardo for at least the reasons discussed above.

Claim 25 recites "A content server comprising: a content collector configured to retrieve content from a plurality of content providers; a content verification tool coupled to the content collector, the content verification tool configured to verify content retrieved from the plurality of content providers; and a content scheduler coupled to the content collector, the content scheduler configured to schedule the received content for display", which is not taught, disclosed, suggested, or motivated by the cited references.

For example, Applicant submits that the cited references fail to disclose or suggest "a content verification tool coupled to the content collector, the content verification tool configured to verify content retrieved from the plurality of content providers", as recited in claim 25. Regarding claim 25, the Office Action merely states "claim 25 reflects the apparatus comprising computer executable instructions used in performing the methods as claimed in claim 1, and is rejected along the same rationale." Applicant disagrees with this statement. The Office Action fails to identify any disclosure of Fields or Bernardo related to "a content verification tool coupled to the content collector, the content verification tool configured to verify content retrieved from the plurality of content providers".

**Reply under 37 C.F.R. § 1.116
Expedited Procedure
Examining Group 2176**

For at least these reasons, Applicant respectfully submits that claim 25 is allowable over Fields in view of Bernardo. Given that claims 26-30 depend from claim 25, Applicant respectfully submits that those claims are likewise allowable over Fields in view of Bernardo for at least the reasons discussed above.

Claim 31 recites "A content processing system comprising: a content server configured to retrieve Web-based content from a plurality of Web content providers, wherein the content is defined in an extensible markup language (XML) file; a database coupled to the content server, the database configured to store content retrieved from the plurality of content providers; and a Web server coupled to the content server, the Web server including a schema file that defines the proper format for the content, wherein the Web server is configured to maintain a plurality of Web pages that are generated using content stored in the database", which is not taught, disclosed, suggested, or motivated by the cited references.

Fields is silent regarding any database for storage of content defined by XML files. Fields is similarly silent regarding any schema files that define proper content for content to be displayed. The Office Action fails to show where such might be found in the references. The filter database taught by Fields does not overcome these deficiencies.

For at least these reasons, Applicant respectfully submits that claim 31 is allowable over Fields in view of Bernardo. Given that claims 32-33 depend from claim 31, Applicant respectfully submits that those claims are likewise allowable over Fields in view of Bernardo for at least the reasons discussed above.

Claim 34 recites "One or more computer-readable media having stored thereon a computer program that, when executed by one or more processors, causes the one or more processors to: retrieve content from a plurality of content providers, the retrieved content to be displayed in at least one Web page; verify the format of the retrieved content; reject the retrieved content if the format of the retrieved content is not valid; and schedule the content to be displayed at a specified time", which is not taught, disclosed, suggested, or motivated by the cited references.

As discussed above with respect to claim 1, the cited references fail to disclose verifying the format of received content. Further, the cited references fail to disclose scheduling the content to be displayed at a specified time.

For at least these reasons, Applicant respectfully submits that claim 34 is allowable over Fields in view of Bernardo. Given that claims 35-38 depend from claim 34, Applicant respectfully submits that those claims are likewise allowable over Fields in view of Bernardo for at least the reasons discussed above.

Reply under 37 C.F.R. § 1.116

Expedited Procedure

Examining Group 2176

Conclusion

Claims 1-38 are in condition for allowance. Applicant respectfully requests reconsideration and issuance of the subject application. Should any matter in this case remain unresolved, the undersigned attorney respectfully requests a telephone conference with the Examiner to resolve any such outstanding matter.

Respectfully Submitted,

Date: 5-06-2005By: 

Steven R. Sponseller

Reg. No. 39,384

(509) 324-9256 x250